

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Siamak Tabibzadeh

Serial No. 09/674,254 based on PCT/US99/09366

Priority Date: 29 APRIL 98

For: DIAGNOSTIC MARKERS OF HUMAN FEMALE INFERTILITY

Attorney Docket No.: 0152.00384

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Box PCT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 In the DO/EO/US. In response thereto, enclosed please find the following:

1. An executed Declaration and Power of Attorney for Patent Application;
2. The correct priority date should be 29 APRIL 98, not 29 APRIL 88.
3. Our check in the amount of \$65.00 which represents the surcharge for filing the Declaration after the appropriate 20 or 30 months from the priority date;

Please charge our Deposit Account No. 11-1449 for any additional fees  
or credit our account for any overpayment.

Respectfully submitted,

KOHN & ASSOCIATES



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Kenneth I. Kohn  
Registration No. 30,955  
30500 Northwestern Hwy. Ste. 410  
Farmington Hills, Michigan 48334  
(248) 539-5050

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231, Box PCT on December 27, 2000, Express Mail Label No. EL405597008US.



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Connie Herty



*Real Fee 1-4-01*  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231  
*Correct Priority*

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/674254	TABIBZADEH	S 0152.00332
INTERNATIONAL APPLICATION NO.		
PCT/US99/09366		
I.A. FILING DATE	PRIORITY DATE	
29 APR 99	29 APR 88	
DATE MAILED: 04 DEC 2000		

AMY E RINALDO  
KOHN & ASSOCIATES  
30500 NORTHWESTERN HIGHWAY SUITE 410  
NORTHWESTERN HIGHWAY SUITE 410  
FARMINGTON HILL, MI 48334

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.  
☐ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☒ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendment(s) filed 30 OCT 00 and \_\_\_\_\_  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_  
☐ Verified Statement Claiming Small Entity Status.  
☐ Priority Document.  
☒ Copy of the International Search Report ☐ and copies of the references cited therein.  
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875  
FORM PCT/DO/EO/905 (December 1997)

COTTMAN, DARRELL C.  
Telephone: 703-305-3693



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Bib Data Sheet

<b>SERIAL NUMBER</b> 09/674,254	<b>FILING DATE</b> 12/27/2000 <b>RULE</b> -	<b>CLASS</b> 435	<b>GROUP ART UNIT</b> 1645	<b>ATTORNEY DOCKET NO.</b> 0152.00332
<b>APPLICANTS</b> Siamak Tabibzadeh, Searingtown, NY ;				
<b>** CONTINUING DATA *****</b> THIS APPLICATION IS A 371 OF PCT/US99/09366 04/29/1999 WHICH CLAIMS BENEFIT OF 60/083,418 04/29/1998				
<b>** FOREIGN APPLICATIONS *****</b>				
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 02/09/2001</b> <b>** SMALL ENTITY **</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance Verified and Acknowledged		<b>STATE OR COUNTRY</b> NY	<b>SHEETS DRAWING</b> 12	<b>TOTAL CLAIMS</b> 40
Examiner's Signature _____ Initials _____		<b>INDEPENDENT CLAIMS</b> 24		
<b>ADDRESS</b> Kenneth I Kohn Kohn & Associates 30500 Northwestern Highway Suite 410 Farmington Hills ,MI 48334				
<b>TITLE</b> Diagnostic markers of human female infertility				
<b>FILING FEE RECEIVED</b> 1430	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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WASHINGTON, D.C. 20231  
www.uspto.gov



Bib Data Sheet

<b>SERIAL NUMBER</b> 09/674,254	<b>FILING DATE</b> 12/27/2000 <b>RULE</b> -	<b>CLASS</b> 435	<b>GROUP ART UNIT</b> 1645	<b>ATTORNEY DOCKET NO.</b> 0152.00384						
<b>APPLICANTS</b> Siamak Tabibzadeh, Searingtown, NY ; <b>** CONTINUING DATA *****</b> THIS APPLICATION IS A 371 OF PCT/US99/09366 04/29/1999 WHICH CLAIMS BENEFIT OF 60/083,418 04/29/1998 <b>** FOREIGN APPLICATIONS *****</b> <b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 02/09/2001</b> <b>** SMALL ENTITY **</b>										
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance Verified and Acknowledged <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Examiner's Signature <u>VBP</u> Initials <u>103</u>		<b>STATE OR COUNTRY</b> NY	<b>SHEETS DRAWING</b> 12	<b>TOTAL CLAIMS</b> 40	<b>INDEPENDENT CLAIMS</b> 24					
<b>ADDRESS</b> Kenneth I Kohn Kohn & Associates 30500 Northwestern Highway Suite 410 Farmington Hills ,MI 48334										
<b>TITLE</b> Diagnostic markers of human female infertility										
<b>FILING FEE RECEIVED</b> 1430	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: <table border="1"> <tr><td><input type="checkbox"/> All Fees</td></tr> <tr><td><input type="checkbox"/> 1.16 Fees ( Filing )</td></tr> <tr><td><input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )</td></tr> <tr><td><input type="checkbox"/> 1.18 Fees ( Issue )</td></tr> <tr><td><input type="checkbox"/> Other _____</td></tr> <tr><td><input type="checkbox"/> Credit</td></tr> </table>				<input type="checkbox"/> All Fees	<input type="checkbox"/> 1.16 Fees ( Filing )	<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )	<input type="checkbox"/> 1.18 Fees ( Issue )	<input type="checkbox"/> Other _____	<input type="checkbox"/> Credit
<input type="checkbox"/> All Fees										
<input type="checkbox"/> 1.16 Fees ( Filing )										
<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )										
<input type="checkbox"/> 1.18 Fees ( Issue )										
<input type="checkbox"/> Other _____										
<input type="checkbox"/> Credit										

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Practitioner's Docket No. 0152.00384

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Siamak Tabibzadeh

Serial No.: 09/674,254

Group No.: 1645

Filed: 12/27/00

Examiner:

For: DIAGNOSTIC MARKERS OF HUMAN FEMALE INFERTILITY

Assistant Commissioner for Patents  
Washington, DC 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

2. There is an error with respect to the following data, which is:

incorrectly entered

and/or

omitted.

**Error in**

1. Applicant's name
2. Applicant's address
3. Title
4. Filing Date
5. Serial Number
6. Foreign/PCT Application Re:
7. Other

**Correct data**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
7. Docket No.: 0152.00384

RECEIVED  
MAR 08 2001  
TECH CENTER 1600/2900

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

X MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

  
Connie Herly

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.

  
KOHN & ASSOCIATES

KENNETH I. KOHN  
Reg. No. 30,955  
30500 Northwestern Highway, Suite 410  
Farmington Hills, Michigan 48334  
(248) 539-5050

Dated: February 22, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/674,254	12/27/2000	1645	1430	0152.00332	12	40	24

384  
FILING RECEIPT



Kenneth I Kohn  
Kohn & Associates  
30500 Northwestern Highway Suite 410  
Farmington Hills, MI 48334

Date Mailed: 02/09/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Siamak Tabibzadeh, Searingtown, NY ;

**Continuing Data as Claimed by Applicant**

THIS APPLICATION IS A 371 OF PCT/US99/09366 04/29/1999  
WHICH CLAIMS BENEFIT OF 60/083,418 04/29/1998

**Foreign Applications**

If Required, Foreign Filing License Granted 02/09/2001

**\*\* SMALL ENTITY \*\***

**Title**

Diagnostic markers of human female infertility

**Preliminary Class**

435

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Data entry by : NGUYEN, SON

Team : OIPE

Date: 02/09/2001

